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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/348,891	07/06/1999	ANTONIUS A.C.M. KALKER	PHN-17.025	5906

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

FLETCHER, JAMES A

ART UNIT

PAPER NUMBER

2621

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/348,891	Applicant(s) KALKER ET AL.	
	Examiner James A. Fletcher	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 03 October 2006 have been fully considered but they are not persuasive.

In re page 4, Applicant's Representative states: "Nowhere does Itoh teach or suggest accumulating spatially corresponding coefficients of a plurality of pictures, as recited in claim 1."

The Examiner respectfully disagrees. As is understood by those of skill in the art, the expansion of compressed MPEG data requires the accumulation of the special coefficients of the image being decoded. And since Itoh discloses moving images being decoded, the plurality of pictures is clearly disclosed.

Further in re page 4, Applicant's Representative states: "Accumulating spatially corresponding coefficients of a plurality of pictures, as recited in claim 1, is not the same as expanding compressed data."

While the Examiner agrees with this statement, the grounds of rejection are that expanding compressed MPEG data of a moving image requires the accumulation of spatially corresponding coefficients of a plurality of pictures.

Further in re page 4, Applicant's Representative states: "Paragraphs 17 and 18 of the previously presented substitute specification, and Figures 1 and 2 describe one example of accumulating spatially corresponding coefficients of a plurality of pictures, as recited in claim 1."

The Examiner notes that the cited drawing Figure 2 only shows the accumulation of spatial coefficients of a single image 9, and that the cited paragraph 17 notes that I, P, and B pictures are expected elements of the plurality of pictures. The Examiner further notes that expansion and decoding of P and B pictures in an MPEG stream requires the accumulation of multiple pictures in the buffer, since, as is known by those of skill in the art, P and B pictures cannot be decoded without the I picture they are referenced from. Therefore, the Examiner concludes that the expansion of compressed MPEG encoded moving images does necessarily comprise the accumulation of spatial coefficients of a plurality of pictures as recited in the application's claim 1.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Itoh et al (6,700,989).

Regarding claims 1 and 4, Itoh et al disclose a method and means of detecting a watermark in a compressed video signal comprising spectral coefficients obtained by

transforming pictures of said video signal (Col 29, lines 55-56 "compressed data are expanded by an MPEG decoder 56"), consisting essentially of:

- accumulating spatially corresponding coefficients of a plurality of pictures (Col 29, lines 55-56 "compressed data are expanded by an MPEG decoder 56");
- inverse transforming said accumulated coefficients into an accumulated plurality of pictures (Col 29, lines 55-56 "compressed data are expanded by an MPEG decoder 56"); and
- detecting the watermark in said accumulated plurality of pictures (Col 3, lines 20-23 "a scheme wherein the electronic watermark is superposed on and inserted into sampled value regions of two dimensions or three dimensions" and Col 4, lines 44-46 "The digital detection of the DHS watermark is easy in various areas [moving image data, compressed data, transmission data, sector data, etc.]").

Regarding claims 2 and 3, Itoh et al disclose a method of detecting a watermark wherein the encoded video signal includes predictively encoded pictures including motion vectors and wherein the step of accumulating coefficients is applied to the coefficients representing the residual pictures irrespective of coefficients representing the prediction picture and irrespective of said motion vectors (Col 29, lines 55-56 "compressed data are expanded by an MPEG decoder 56").

Regarding claim 6, Itoh et al disclose a device for recording and/or playing back a compressed video signal comprising means for disabling recording and/or playback of the video signal in dependence upon the presence of a watermark in the video signal

(Col 4, lines 42-43 "The copy restriction mode is easily detected by a video recording/reproduction device" and Col 29, lines 56-58 "the display 59 of the watermarked moving image [53] is presented by a display device 57 in the case where the reproduction is permitted") detected as described above.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

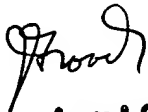
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Fletcher whose telephone number is (571) 272-7377. The examiner can normally be reached on 7:45-5:45 M-Th, first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JAF
26 October 2006


James J. Groody
Supervisory Patent Examiner
Art Unit 262 2621